

1973 S.C. Op. Atty. Gen. 344 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3658, 1973 WL 21109

Office of the Attorney General

State of South Carolina

Opinion No. 3658

November 8, 1973

**\*1 In Re: South Carolina Driver Licenses—Effect of North Carolina Conviction for DUI**

Mr. E. P. Austin, Jr.  
Director  
Motor Vehicle Division  
State Highway Department  
Columbia, South Carolina

Dear Mr. Austin:

As a result of correspondence from Honorable Edward E. Saleeby of Hartsville, you have inquired as to the action that should be taken by the South Carolina State Highway Department upon receipt of notice that a South Carolina licensee has been convicted for drunk driving in North Carolina, but has been awarded by the North Carolina court a limited driving privilege.

As stated in a previous opinion on this matter directed to Mr. Pearman on October 18, 1973, it is the opinion of this Office that it is the offense committed in North Carolina that requires action by the South Carolina State Highway Department against the licensee whether such action be against the privilege of a non-resident operator or the South Carolina driver license of a South Carolina resident.

In view of the foregoing, it is the opinion of this Office that the State Highway Department must suspend a South Carolina driver license of a resident of this State who is convicted of drunk driving in North Carolina. Since the laws of this State do not provide for a restricted or limited suspension, you have no authority to impose one. The fact that North Carolina courts may under North Carolina law permit operation in that State on a limited basis during the time the South Carolina operator's South Carolina license is under suspension does not affect the right of such driver to operate a motor vehicle in South Carolina.

To state the opinion of this Office a little bit more succinctly, a South Carolina licensee may not operate a motor vehicle in this State during the period in which his South Carolina license is suspended notwithstanding the fact that a North Carolina court might have granted to him limited driving privileges in the State of North Carolina.

Very truly yours,

Joseph C. Coleman  
Deputy Attorney General

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